DOCUMENT RESUME

ED 240 196 UD 023 333

AUTHOR Rubin, Gary; And Others
TITLE Refugee Issues: Current Status and Directions for the Future.
INSTITUTION Refugee Policy Group, Washington, DC.
PUB DATE 83
NOTE 37p.
AVAILABLE FROM Refugee Policy Group, 1424 16th Street, N.W., Suite 401, Washington, D.C. 20036 ($3.50 plus postage).
PUB TYPE Reports - General (140) -- Information Analyses (070) -- Viewpoints (120)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Agency Cooperation; Agency Role; *Change Strategies; Government Role; Land Settlement; Private Agencies; *Program Improvement; Public Agencies; *Public Policy; *Refugees
IDENTIFIERS Repatriation

ABSTRACT

A comprehensive review of current refugee policy and program issues is provided in this paper, which is intended to serve both as a status report and a guide to developing an agenda for the future. Chapter I deals with early warning as to potential refugee movements, mass asylum, and interim assistance. Chapter II discusses and analyzes four types of programs that could lead to permanent solutions for current refugee populations: (1) repatriation; (2) third country resettlement; (3) linking development assistance for non-industrialized countries to their reception of refugees; and (4) addressing conditions in countries that are sources of sizeable emigrations. In Chapter III, refugee resettlement and domestic assistance programs in the United States are analyzed in terms of (1) the roles and relationships of Federal, State, and local government agencies and voluntary agencies involved in refugee affairs, (2) alternatives to current arrangements, and (3) operational issues. Finally, questions of definition and scope are discussed in Chapter IV. Each chapter ends with a summary list of projects that might be used to respond to urgent problems. (CMG)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED240196

REFUGEE ISSUES: Current Status and Directions for the Future

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Susan Forbes
Refugee Policy Group

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

UD023333

Refugee Policy Group
Washington, D.C.

© 1983

The Refugee Policy Group is an independent, non-profit private organization established in 1982 through core support grants from the Ford Foundation and the Edna McConnell Clark Foundation. RPG's purpose is to serve as an independent center of policy analysis and research on refugee issues.

The RPG produces occasional papers, provides auspices for expert policy analysts and researchers to conduct their work in Washington, D.C., and holds meetings and symposia which bring together program implementors, policy analysts and researchers to discuss refugee program issues of priority concern to policy makers.

TABLE OF CONTENTS

FOREWORD 4
INTRODUCTION 5

I CRISIS AND FIRST RESPONSES 6
- Early Warning 7
- Mass Asylum 10
- Interim Assistance 13

II PERMANENT SOLUTIONS 17
- Repatriation 17
- Third Country Resettlement 18
- Settlement in Place 19
- Strategies for Source Countries 21

III RESETTLEMENT AND DOMESTIC ASSISTANCE 23
- Roles and Relationships 23
- Alternatives to Current Arrangements 27
- Operational Issues 29

IV ISSUES OF DEFINITION AND SCOPE 32

FOREWORD

This paper provides a comprehensive review of current refugee policy and program issues. We hope it will be useful as a planning resource to clarify issues and priorities and to identify policy and program approaches.

The paper is based on interviews and discussions with people experienced with a wide variety of refugee programs. This information was supplemented by discussions at several meetings of the Advisory Committee to the Refugee Policy Group (RPG). Much was also contributed by experts in several closely related fields: human services, economics, community development, population and migration, foreign affairs, area studies, human rights, and international development, among others. These experts were helpful in raising issues and concerns and suggesting alternate systems and approaches to assistance and service delivery.

Several people had a hand in writing this paper. Gary Rubin, as a consultant to RPG, produced an excellent draft. RPG staff members reviewed and revised it in their principal areas—Dr. Susan Forbes on resettlement and domestic assistance; Dr. Barry Stein on sections concerned with refugee assistance in developing countries, and Dr. Patricia Weiss Fagan on segments which focus on mass exodus, asylum, and protection.

Clarifying the complicated issues of refugee policy is a continuing challenge in an environment where yesterday's solution no longer works. In the process, delicate balances and complex relationships may be upset, and with them the lives of desperate men, women, and children.

With their fate in mind, this paper presents and analyzes the range of issues facing policy makers and practitioners in the refugee field, and also spells out some initiatives which might be considered in dealing with continuing urgent problems. To recite an available litany of issues would do no more than define the field as it now is and would not point toward directions for innovation. By proposing projects for consideration, we seek to sharpen the ongoing discussions, improve responses to crises, and set the stage for further progress. Thus, this paper is intended to serve both as a status report and as a guide to developing an agenda for the future.

Dennis Gallagher
Executive Director
Refugee Policy Group

INTRODUCTION

Who is a refugee? How does a person become one, and when does one cease to be a refugee? The answers to these crucial questions can affect not only the quality of lives of many people but in some instances their very existences. Further, the answers can determine whether or not a political jurisdiction can offer them safe haven and the level of funds or assistance that can be provided.

The search for just, equitable, and clear answers to these questions requires continuing effort. Ultimately, however, the answers are affected significantly by historical circumstances, power relationships among nation states, the political influence of ethnic groups, economic conditions, and many other factors.

The problems of refugees differ according to the circumstances of their flight. People may flee of their own volition or may be virtually expelled by deliberate governmental policy. The country where they first take refuge faces different difficulties than those confronting a country that may ultimately offer permanent residence. Every stage presents a challenge: first, how to organize emergency and ongoing relief; offering asylum and how to maintain it; whether refugees are to be repatriated, settled in place, or resettled in third countries; how to be of most effective assistance to new waves of refugees, who come from varying backgrounds and experiences, without fostering dependency or weakening the strong drive of almost all refugee groups toward survival and self-sufficiency. These and other issues, some of which take shape in an international context and others which are more national in character, are enduring refugee concerns which, beyond operational attention, require study, analysis, data collection, repositories of knowledge, and experience.

I

CRISIS AND FIRST RESPONSE

Refugee issues, like the world that produces them, are exceedingly complex. In fact, refugee flows rarely share the same configuration of causes, solutions, and ramifications. Some forced migrations stem from the actions of particular regimes in ridding themselves of "undesirable" residents—the expulsion of Asians by Uganda and ethnic Chinese by Vietnam are examples. Other refugee flows involve mass flight from intolerable, repressive conditions directed against either specific groups or the general populace—for example, the flights of people from Stalinist Russia and Nazi Germany. Still other refugee flows develop as a result of the invasion of foreign forces, de-colonization, and civil strife.

A complicating factor in modern refugee flows lies in the tangle of motives that impel people to flee and the problem of establishing the primary motive. Purely economic suffering, without some political components, does not qualify its victims for refugee status (see section IV). But contemporary governments of both the Left and the Right—for reasons ranging from ideology to requirements for stability to outright corruption—play such an active role in their national economies that economic trends are inseparable from the political decisions behind them. Decisions by central authorities vitally affect many aspects of individual citizens' lives, and as they do, the possibilities for oppressive policies multiply, along with the numbers of people driven to seek refuge elsewhere.

In addition to internal factors, a country's location within the international system also affects its refugee policy. As long as nation states create alliances and identify enemies, individuals with political loyalties will be labeled as friends or opponents of various regimes and will be expelled or received on this basis. This is true in spite of the agreement in international law that lending refuge to individuals is not to be interpreted as either a hostile act toward the government from which people are seeking refuge or as friendly support to the political causes of the refugees. Critics of current U.S. refugee programs, for example, charge that the country allows the entry of a disproportionate number of emigres from Communist nations while it denies asylum to victims of military dictatorships that maintain friendly relations with Washington. Though this contention is vigorously debated, it illustrates how geopolitical interests can influence responses to forced migration.

Refugee flows may be encouraged or discouraged for a variety of reasons. In some cases, it is in the foreign policy interest of a nation to encourage (sometimes cause) the flight of refugees. This is true of "sending nations" (Cuba and the Mariel exodus, for example), "first asylum" nations (particularly those that lay claim to territory from which refugees have fled), and "third countries" that receive a group of refugees from their place of first asylum (particularly when refugee crises are signs of or the cause of disruption within unfriendly nations). In other cases, refugee flows are discouraged because of the disruption caused in first asylum countries, the dangers associated with flight, or the unwillingness of third countries to provide sufficient resettlement opportunities to relieve or adequately support relief or settlement activities.

International economic policy also has an impact on refugee flows. The granting of foreign aid, credits, and trading privileges which ease commodity and food shortages within a nation may have the effect of reducing both tensions and the need to emigrate, while blocking such assistance or commercial credit can exacerbate both deprivation and the outflow of refugees. The debate generated by the Reagan Administration's Caribbean Basin development program exemplifies the interconnection of these concerns. Proponents of this plan raise the specter of unmanageable levels of population shifts if progress is not made in this region. Critics agree that economic and migration trends are intertwined but contend that the situation varies too widely from one country to another to make a blanket statement about the effects of development on emigration in the area as a whole. They also maintain that playing on fears of mass invasion is not the most constructive approach. Both sides concur, however, that understanding the genesis of refugee flows requires an evaluation of patterns of commerce and foreign assistance.

Because of the complexity of refugee flows, a coherent world-wide response to forced migration is demanded. Despite growth in international activity in recent years, the quality of programs in this field is at best spotty. Any major new effort in this area must begin by examining the onset of refugee streams; this will require an assessment of current capacities for responding to early warnings of impending population movements.

Early Warning

There has been considerable controversy about how to assess needs and to formulate plans before refugee movements actually begin but when precursers of the problem begin to become evident. At issue is the priority that should be given to establishing an "early warning" system, and assuming one is implemented, its organizational basis, mandate, and specific objectives.

Some people in the field argue that the major shortcoming in the world refugee system is the current inability to anticipate massive outflows, or to detect dangerous situations sufficiently early to allow measures which might prevent sizable streams of refugees from occurring. According to their argument, an early evaluation capability will enhance the capacity of governments, the international organizations, and voluntary agencies to plan strategies, generate public support for action, assess budgetary needs, and possibly to take preventive measures. Advocates view the creation of an early warning capability as the top priority on any list of needed improvements in the refugee field.

Others disagree, citing two major objections to this option. First, they argue that numerous governmental bodies, such as the Central Intelligence Agency in the United States and similar organizations in other nations, already keep track of potential trouble spots around the world, and nothing done within the private sector can add meaningfully to the resources that these official agencies invest in anticipating crises. Second, they note that many flows can be predicted easily with no new mechanisms in place. Any intelligent newspaper reader was aware, they

maintain, that mass exodus would probably follow at the end of the Vietnam war, that Poles would seek to leave their country as confrontation intensified between the state and the Solidarity Union, and that a combination of overpopulation, military dictatorship, and severe poverty would spawn outflows of refugees from the Caribbean Basin. In short, they argue that an effort to analyze the precursors of refugee emergencies would only duplicate existing capacities and confirm the obvious.

Advocates of an early warning strategy reply that the predictive mechanisms now in place have clearly failed to prepare public or private assistance organizations to respond adequately to recent mass migrations. This is especially true, they note, with respect to crises that arise in areas of developing countries not usually well-covered by Western news sources. Their point is not whether this type of information exists within some country's intelligence operation, but whether it is available for public discussion and operational planning. This, in some experts' opinion, remains a critical need.

Some supporters of an expanded early warning capacity argue it should not be a private sector initiative. They maintain that the United Nations High Commissioner for Refugees (UNHCR) should expand its mandate, as it has in the past, to fill this gap in the refugee system. Institutional realities provoke doubt about this strategy, however. UNHCR depends for its existence and budget on an intergovernmental network. Individual nations which, for political reasons of their own, are often unwilling to acknowledge incipient refugee emergencies may convey their reluctance to a United Nations body which they mandate and fund. Moreover, the UNHCR relief capacity operates in and with the concurrence of first asylum countries which border troubled areas. The governments in these countries may be especially sensitive to public discussion of unrest, fearing its spread to their own populations.

There is also the suggestion by Sadruddin Aga Khan, former UNHCR, that a special unit in the United Nations be established with a charter to aid in negotiating solutions or ameliorations of refugee crises. His suggestion recognizes that the charter of the UNHCR is essentially to *react* to refugee-producing circumstances. The orientation of the proposed special UN office would be "proactive"—that is, it would be aimed at preventing or limiting refugee flows. The proposal is to be debated in the United Nations, but sovereign states are likely to be reluctant to establish such a proactive capacity.

Private voluntary agencies which might also perform an early warning function are organizationally more independent than the United Nations structure. However, since they often receive funds channeled through UNHCR and must work under conditions specified by the host nations, they are subject to many of these same constraints. Moreover, the question of whether they have adequate budgets to meet new emergencies might weigh heavily in decisions about calling attention to emergency needs. Because these institutional interests may work against an *objective* early warning focus, leadership for this task may be best undertaken as an independent private sector initiative, developing where possible appropriate links to the present intergovernmental and operational networks.

A private initiative might address early warning needs in two ways, one more analytical, the other more activist. The first kind of project would focus on

establishing a typology of characteristics of areas that are likely to produce refugee flows. This analysis would attempt to encompass political and official actions that induce opposition, oppression, and flight as well as nongovernmental factors which might promote migration, such as population pressures, availability of transportation, information flows to the outside world, existence of ethnic kin in other countries, etc. Although some of this information can be compiled from existing studies, new research will be needed to fill in some gaps. Taken together, these indicators would present a typical picture of situations which present a danger of forcing large outflows of refugees. Besides serving as an aid in anticipating mass movements, the typology could also be used as supporting evidence when the reality of danger is being denied. An independent group could demonstrate the presence of circumstances which, as proven in other locations, have led to massive outpourings.

In a more activist project, reporting channels would be set up through which people in sensitive locations could pass information about the onset of a refugee movement or could warn of incipient crisis factors. This type of information network would draw upon the on-site observations of missionaries, development personnel, cultural organization staffs, and others, linking to groups that would publicize these first-hand accounts of events. Since some of these observers may have strong political biases or ties to particular factions in the countries in which they operate, the office receiving these dispatches would have to be able to assess the objectivity and accuracy of the information received. A project of this kind would be best carried out as an international effort, with similar organizations in various countries forming a consortium to gather, study, and publicize these reports.

Some advocates of an early warning effort have argued that the system must include a strong advocacy component. They urge the creation of an international organization which would serve as an "Amnesty International" for refugees, working not only to collect and disseminate information, but to use that information to influence the political and governmental process. The need and practical possibilities of setting up this type of program should be assessed.

If an early warning system is to be effective, patterns of movements will need to be publicized in order to raise public awareness of growing problems before they reach catastrophic stages. One possibility is a media project which would focus on new refugee situations and develop public support for dealing with them while they can still be managed.

All concerned agree that any initiative toward an enhanced early warning system should be undertaken with caution. There is a fine line between improving preparedness for crisis and actually inducing refugee flows because of the momentum generated by visible advance activity. Early warning projects must be designed to anticipate problems without increasing the chances that they will in fact occur.

Until an enhanced early warning capacity is developed, nations will continue to face significant streams of unanticipated refugees. Moreover, even if they can predict large inflows of people, many countries have not developed workable plans to handle them. Under these circumstances, attention will continue to focus on mass asylum.

Mass Asylum

Mass asylum has become a pressing issue all over the world. In Southeast Asia, Africa, Europe, and the Americas, people are streaming across borders without official authorization and claiming asylum once they arrive in a relatively safe haven. Many nations, accustomed to dealing with planned immigration, find these new uninvited waves a difficult challenge.

Some people argue that the present reaction in the United States to incoming streams of claimants for asylum from Caribbean countries such as El Salvador, Haiti, and Nicaragua stems from a failure to appreciate the global scope of this sort of movement. They believe the American public panics because it feels uniquely afflicted with unauthorized asylum seekers. In their opinion, U.S. citizens could view the issue in a more rational and potentially constructive light, if they understood that it is a worldwide phenomenon, affecting undeveloped as well as developed countries.

Others counter that developed countries such as the United States, with a tradition of receiving refugees, face first asylum challenges that are, in fact, different from those of other nations. They note that places where refugees have sought first asylum, such as Thailand, Malaysia, and, at least until recently Austria, have thus far been essentially temporary havens where people pass through on their way to a permanent home. These observers also note that other places, including African countries, may be likely to retain their refugee populations over a long period of time but can expect the eventual repatriation of these groups. In contrast, highly industrialized nations faced with large influxes of asylum seekers see little prospect of the refugees being transported on to other locations or of their seeking repatriation—most will prefer to stay.

The mass asylum challenge has led to proposals for changing the traditional processes of refugee acceptance in developed nations with a receiving tradition. The United States, for example, could invite the United Nations High Commissioner for Refugees to inspect claimants' eligibility for asylum, operate camps for them, and put pressure on other governments to receive them permanently. If necessary, according to advocates of this viewpoint, a Geneva Conference could be called to encourage worldwide sharing of people with legitimate claims to refugee status.

UNHCR, however, as a creature of sovereign nations, is limited in the leverage it can exert on individual nations to increase resettlement. Further, nations are not likely to welcome the notion of accepting population transfers from such first-asylum countries as the United States. More realistic and practical actions will have to be devised to meet this problem.

One possibility, touched upon earlier, is trying to change the attitude of first asylum countries toward the influx they are confronting. In this view, countries such as the United States, Austria, and others should accept the reality that they cannot seal their borders against people desperate to get in. They should instead acknowledge that regional migration, especially in areas of political or economic turbulence, is an enduring process and, therefore, give status and protection to people able to reach their territory. As a practical matter, this would mean the setting up of free immigration zones. For the United States, it could entail

returning to the previous policy of placing ceilings on receiving people from the Eastern but not the Western Hemisphere. Advocates of this option assume that domestic problems resulting from large-scale entry, such as pressures on employment, housing, or other markets, woud be less difficult than attempting to curb the influx. While this strategy would surely solve the crisis of mass asylum by defining it out of existence, it is probably politically unacceptable to most countries. As a matter of sovereignty, they are not likely to acquiesce in unregulated crossing of their borders. Moreover, the social impacts of massive inflows of people are at best unknown and could prove disastrous.

One of the key issues raised by mass flows of asylum seekers is their rights to protection. Many refugees flee their homelands threatened by their government's inability or unwillingness to guarantee their legal and human rights. But their flight leaves them in a vulnerable position. The nations to which they come must decide whether to accept them as refugees, and the fact that the nations are themselves interested parties compromises their capacity to assure refugees objective treatment. Although UNHCR's mandate includes, as a priority, providing protection for refugees, the agency's capacity to provide protection is circumscribed by several factors. Many countries confronted by heavy inflows of asylum seekers have not adopted the Convention or Protocol on refugees. As a result, their international obligations regarding the protection of refugees are unclear. Moreover, UNHCR does not have a mandate to challenge the decisions of receiving governments on whether a particular migrant or group of migrants should be treated as refugees. Finally, the location and availability of UNHCR staff affect not only the access of refugees to the attention of the UNHCR system but also the level of protection afforded them. As forced migration continues and as attitudes of receiving nations toward the refugees remain problematic, the issue of protection of legal and human rights will continue to demand attention. A project drawing on case studies to focus on organizational and legal issues relating to protection could prove timely and useful.

Another major issue is the adjudication of asylum claims. Since the treatment received by migrants depends on how the legitimacy of their claims is judged, the mechanisms for making this determination need to be closely scrutinized. There are two contradictory principles at issue here. First, adjudication machinery must act swiftly, both in fairness to people whose lives will be shaped by the outcome and because delays often encourage people who probably do not qualify for asylum to apply for it. On the other hand, due process requires the right of appeal from unfavorable decisions, even though review prolongs the judicial process. How to adjudicate both fairly and quickly remains a key dilemma for first asylum countries.

In the United States, asylum claims are decided by the Immigration and Naturalization Service with appeals heard by administrative law judges or, at the next level, by a federal court. Crucial "advisory opinions" in each case are made by a group of six State Department officials in the office of Human Rights and Humanitarian Affairs. (This "bare-bones" description does not encompass the complex reality of how many asylum decisions actually come about.)

The need for an improved system for adjudicating asylum claims is being debated now in the United States. Some American experts, who consider the

current system inefficient, slow, and unfair, have proposed a process they believe would operate both swiftly and with guarantees for review. The process would involve appointing asylum hearings officers, whose decisions could be appealed in a one step process, to a review board.

Although this proposal seems clean-cut and rational, it presents a welter of operational difficulties. First, should the asylum review board be incorporated into another governmental department or should it remain independent? A lack of ties to existing bureaucracies may encourage impartiality, but the history of free-floating boards show them to be susceptible to special interest pressure and in danger of getting lost in the vast thicket of government machinery. Placing the new board in the Justice Department, preferably separated from the Immigration and Naturalization Service, would preserve its visibility and clout, but might make it vulnerable to political influence. The second question is who should serve on this board: a cadre of judicial officers, or representatives of concerned federal departments (e.g. Justice, State, and Health and Human Services) or public members or some combination of these? And there are other subsidiary issues. Should terms of members overlap those who appoint them to enhance independence? What should be the role of UNHCR? Some would make an international officer a voting member of the board, to widen its breadth and objectivity, while others who view this as an infringement of national sovereignty would opt for an advisory role only. What types of appeals should be allowed from the board's decisions? Limiting continued litigation to *Habeus Corpus* cases would assure the efficiency of the system, but risk restricting the right of review too severely.

Though the above discussion refers specifically to the United States, the issues of principle, administration, and operations raised apply to other countries as well. However, as these questions make evident, developing consensus about the components of an improved judicial mechanism is difficult and controversial.

Another key concern centers on detention of people while awaiting resolution of their status. Several nations operate holding centers for mass entrants. Recently, a number of questions have been raised about the incarceration of asylum seekers, ranging from the necessity of this action to conditions of care to limits of tolerable lengths of stay. A worldwide study of detention and possible alternatives would add much to our ability to deal with this issue and might result in improved treatment of detainees.

Another issue is the feasibility of conferring temporary refugee status on migrants who flee from temporary crises such as civil war. The United States has recognized the problem by granting "extended voluntary departure" status to certain individuals and nationality groups. Some European nations have pioneered in granting this type of limited duration standing. The idea is to provide a haven and the right to work to a person for only as long as the emergency in the home country persists. One problem is that people admitted to a nation for brief periods often tend to overstay their legal term of residence and are difficult to locate and send back to the country of origin. Several methods have been suggested to encourage people to return once conditions are no longer dangerous. One such method would involve holding a migrant's social security taxes in escrow during a crisis, for subsequent payment into a retirement plan in the home country. This is a topic requiring further investigation and concrete proposals.

Finally, there is the critical issue of management performance in handling mass flow crises. In several nations, sudden spurts of unplanned arrivals have produced panic and confusion. Clear leadership and workable contingency planning have been conspicuously absent. An effective project might focus on the types of management skills and procedures necessary to cope with unanticipated waves of new entrants.

Some comparative studies on this issue could prove especially useful. For example, a worldwide survey of first asylum situations could be undertaken, including various countries' methods of reception, detention, adjudication, recognition of legal rights, and management techniques. Besides providing a perspective on current situations in different places, the survey could create an international body of data on the basis of which improvements could be proposed.

These considerations center on coping with the immediate problems caused by mass asylum flows. Initiatives on protection, adjudication, detention, and management, however, address only initial methods for handling people in flight until more durable solutions are devised and put in place. If the international community cannot provide permanent solutions for this population, individual nations will become increasingly reluctant to admit them and the concept and reality of asylum will be lost. Before focusing on long-term efforts, however, it is necessary to look at interim assistance programs for refugees in temporary havens.

Interim Assistance

Perhaps no area in the international refugee system has grown more rapidly than interim assistance to people while they await permanent solutions. The Office of the United Nations High Commissioner for Refugees has expanded its mandate and functions to allow it scope to organize large-scale relief efforts. International voluntary agencies also have developed substantial interim assistance programs, and various governments have cooperated in providing the resources required for commodities and personnel. Some observers claim that the interim aid network has developed to the point where it can now mobilize quickly to sustain human life on at least a tolerable level.

Others, however, contend that serious gaps exist in the refugee assistance system. On short-term aid efforts, for example, they believe that though progress has been made in the speed with which agencies mobilize for operations, better management could improve performance. They also raise questions about the appropriateness of specific aspects of refugee programs. In one African situation, for example, a census of a camp population was taken by aerial photography, arousing the fears of camp residents since airplane attacks had been among the precipitating causes of their flight. In other cases, food delivered to encampments turned out to be culturally unfamiliar to the residents and hard to fit into their dietary regimen. A project might focus on current and proposed methods for providing immediate assistance to refugees in a timely and appropriate way.

Other critics question not the quality of assistance provided in refugee camps, but the necessity, at least in some places, of institutional arrangements at

all, except on a very short-term basis. According to this school of thought, aid to forced migrants would be more natural and productive if it were delivered in the form of support for living outside of encampments, among the indigenous population of an area. They believe this would allow refugees to lead more normal lives, to work in productive capacities, and to be free from the pent-in atmosphere of camp settings. Moreover, money now spent on institutional support could be freed to provide jobs for this population in building roads, hospitals, and other tangible improvements that would not only benefit the host country but also lead to greater local acceptance of the refugee presence. Proponents concede the necessity in emergency situations of setting up camps for short periods, but the aim should be to empty these artificial agglomerations as soon as possible and move people to more normal settings, even as they await permanent solutions to their situation.

Other observers raise strong objections to this idea. In the first place, they say, even if we allow new migrants to live outside camp situations, they are likely to cluster in certain neighborhoods and limit their interaction with the general population, thus frustrating one of the key aims of the non-institutional strategy. Second, keeping track of refugees once residential options are open to them can prove to be exceedingly difficult. When permanent solutions are found for migrants, officials may not be able to locate and move them out of their temporary arrangements into planned resettlement patterns. Certainly, the failure of European nations in controlling their guestworker populations gives little confidence that groups allowed to mingle freely with native residents can be restricted to the settlement options governments choose for them. In addition, host countries, often already beset with domestic employment and population problems may not favor the introduction of significant numbers of new residents, however temporary, into their housing and employment markets. Moreover, some observers would argue that the camp experience, if not overly prolonged, can serve as a valuable transition period during which the pressures of previous flight can be relieved and preparation for a new life begun. Finally, critics say, it is unclear which institutions would have the key responsibilities for financing and monitoring non-institutional refugee operations. The UNHCR, for example, has concerns about extending its mandate into the area of development assistance and regional planning.

Even if the strategy of providing assistance to refugees outside the camp setting is not adopted, however, it raises important points to consider in administering aid. While camps were originally planned as short-term residences, delays in achieving durable solutions mean that refugees now live in them for long periods. While efforts must continue to improve the processing of people for further movement, a corollary aim should be to create constructive experiences for them for the duration of their camp stay. Work and training opportunities, which form the core of the rationale for extra-mural assistance, should be provided for refugees even if authorities decide to maintain camp-based aid. The aim of such programs should be to prepare people for life in their eventual destinations. Time spent in encampments can be wasted or even psychologically debilitating if positive activities are not made available. Some international organizations and voluntary

agencies have already begun to develop projects to fill this need, but many observers feel that more can be done along these lines.

Whether refugee assistance is provided within or outside a camp setting, it is important to consider how the local community perceives the assistance. Part of the rationale for encouraging refugee work in the general community is the hope that the completed projects will lead to improved local relations. Whatever the setting, occupational programs should stress skills and products that will be of use to the host society. If programs are not sensitive to local needs, hostility could flare up. Indigenous residents, many of whom live in serious poverty themselves, might perceive that major international relief efforts are directed only to aliens who have recently arrived in their area. In any case, a project might focus on constructive methods, whether through extra-mural or camp activities, for more effective use of the time that refugees spend in temporary locations.

A final project would focus on standards and skills for personnel assigned to provide or manage interim aid. Some feeling exists that workers are hired quickly to participate in care for camp residents as the need for them arises, and administrators have little time to contemplate optimum characteristics for these positions. A useful project might look at desired standards for assistance staffs.

Summary of Projects on Crises and First Responses

1. Creating a typology of refugee-producing situations, including political and non-political factors, to be used as an early warning device.
2. Setting up reporting channels for people in strategic locations to inform interested parties about potential refugee situations and developing an international capacity to analyze this information.
3. Investigating the need and feasibility for an "Amnesty International" type project for refugees.
4. Establishing a media center for public information on the early stages of refugee situations.
5. Analyzing current mechanisms for protection of rights of people involved in mass asylum flows and considering options for action in this area.
6. Surveying and considering alternatives for improving methods of adjudication of mass asylum claims.
7. Examining the operation of detention camps around the world and considering alternatives to incarceration.
8. Analyzing the feasibility of conferring temporary refugee status on migrants from time-limited crises.
9. Examining management techniques and skills needed to cope with mass arrival emergencies.
10. Studying worldwide reactions to first asylum emergencies and comparing methods among countries for handling mass uninvited flows of asylum seekers.
11. Assessing the speed and appropriateness of current systems of providing immediate aid to refugees and suggesting areas of possible improvement.

12. Exploring ways of constructive use of time spent by refugees while awaiting permanent solutions, whether by internal projects within camps or through a non-institutional strategy.
13. Studying professional standards for international relief workers.

PERMANENT SOLUTIONS

Refugees ought to occupy a transitional status. Living as refugees for an extended period impedes individuals' return to normal lives, overburdens the assistance networks, and raises costs to the system.

Despite these recognized dangers, a crisis is developing in the capacity of refugee programs to find permanent solutions for people who come under their aegis. The nightmare that no one wants to see repeated is the Palestinian situation, in which people continue in a supposedly temporary status for decades and new generations grow up in camp settings. Yet, since the sheer size of the world's refugee population easily outweighs current permanent opportunities for them, we face the threat that long-term refugee operations may become an increasingly regular feature of the international scene. If this happens, nations might become more reluctant to admit people in flight; this reaction, which may already be occurring, could drastically cut down on asylum opportunities in an ever more turbulent world.

Four types of programs could lead to permanent solutions for current refugee populations. The two most often discussed and implemented at present involve repatriation and third country resettlement. Another option being given increasing attention would link the development assistance offered to non-industrialized countries to their reception of refugees. Any long-term strategy must also include addressing conditions in countries that are sources of sizeable emigrations. Each of these options presents special problems and opportunities and must receive careful analysis if relevant, constructive projects are to be created and instituted.

Repatriation

There is broad agreement that repatriation, where possible, constitutes the best arrangement for resolving the status of political exiles. Refugees able to go back to their homelands already know the language, culture, and life styles there, which means they can avoid the painful transitions that other refugees must face. Moreover, they often have family or community resources in place to aid them socially and economically upon their return.

Yet repatriation also remains the most difficult and, for many refugees, the least likely solution to their plight. People so opposed to their government that they felt compelled to flee are hardly likely to welcome returning to conditions they consider repressive. It is hard to imagine, for example, current migrants from bitter struggles in Afghanistan, Cuba, Indochina, or Iran electing to go back as long as present regimes remain in place. To the degree that exodus stems from political causes and the rulers who created the suppression retain power, there will continue to be serious obstacles to repatriation as a permanent solution for refugee crises.

One important issue involves the fine distinction between repatriation and deportation. An asylum country might decide that repression has subsided sufficiently in a refugee group's homeland to allow for its members' safe return. Acting upon this belief, it may withdraw continued legal residence for this population and insist that they go back. Asylum seekers may disagree with this assessment and express fear that they will face persecution on their return. Who decides when repatriation will take place and under what circumstances remains a key question.

The effects of repatriation expectations on the treatment accorded to certain migrant groups also need examination. Many Cambodians who fled to Thailand, for example, did not gain eligibility for movement to third countries, in part because some authorities felt that the refugees could eventually return to their homeland. Some observers saw this as promoting a false expectation and prolonging unnecessarily the maintenance of this population in a camp setting. In their view, an unrealistic assessment of repatriation opportunities has delayed the finding of permanent solutions for this group.

Because of both the attractiveness and the difficulties of repatriation, a close examination of this option would prove worthwhile. This investigation could include a study of past efforts to return refugees, an assessment of conditions under which this option works best, and a consideration of the mechanics of repatriation, including who decides when people should go back to their homelands and in what situations this goal should be pursued.

Third Country Resettlement

Third country resettlement is a major mechanism for resolving current refugee crises. Discussions of responses to world upheavals often turn into estimates of the reception capacities of key nations. The Indochinese emigration emergency of the late 1970s, for example, sparked the calling of two Geneva conferences encouraging pledges by various countries to accept significant numbers of refugees from the region. Since third country reception will continue to play a key role in the international refugee system, projects to assess and enhance performance of this activity must be pursued.

Refugee resettlement throughout the world involves diverse programs designed to receive newcomers and aid their adjustment. The United States, for example, uses overseas camps for orientation and training and then places refugees, immediately upon arrival, within the general community. Some European states, on the other hand, have opted for publicly supported welcoming centers, within their own national boundaries, to provide initial orientation and training. In the United States, all refugees are assisted through a combination of private and public programs. In Canada, on the other hand, there is a two track system, in which some refugees are assisted by the government while others are privately sponsored. In some other nations, all refugee assistance programs are government funded and operated. While these various efforts aim at accomplishing similar

tasks, there has been little international sharing of experience. Enhanced communication could serve to improve resettlement efforts worldwide. A relevant project might investigate comparative traits, strengths, and drawbacks of resettlement programs in different countries, leading, possibly through an international conference, to better understanding of resettlement modes and innovative methods.

While greater sharing of information among leading admitting countries might enhance their resettlement performance and encourage them to continue to accept refugees, it is important to explore ways to bring about the reception of refugees by nations that have not yet taken in significant numbers of people in flight. One strategy would make the intake of refugees a condition of qualifying for development assistance or international credit programs. This approach would provide tangible incentives to less industrialized nations to participate in global rescue efforts. Countries looking for populations willing to help build up their territories may welcome this opportunity, but—as discussed more fully in the next section—the required coordination of refugee and foreign aid institutions could be difficult to achieve. Moreover, such an initiative might not open huge numbers of new slots for resettlement since host governments are likely to keep the number of newcomers limited. Nevertheless, even a limited response to this strategy may broaden the scope of international resettlement activity and provide at least some relief for the countries that have been receiving the bulk of current population transfers. A project on the feasibility of this initiative might prove worth doing.

There are other projects which could improve third country settlement efforts. For example, an analysis of current methods for allocating refugees among various countries, the criteria used, and the characteristics of populations received by individual nations might point up several directions for action. Establishing an international data bank on resettlement activities and results would also be an important contribution.

Settlement in Place

To cope with the vast scale of contemporary refugee flows, new approaches are clearly needed, including mechanics to ease the permanent settlement of refugees in their countries of first asylum. Since many refugees will neither go back home nor gain acceptance into new host nations, activity must focus on creating opportunities for them where they reside now, in ways that benefit both them and their place of refuge. A particular challenge is how to encourage permanent settlement when the place of first asylum is a developing country. Of course, some refugees have settled permanently in developing countries, but the process of integration often has been spontaneous and unplanned. A proposed solution is the option just discussed for encouraging wider dispersal of refugees in third countries. Today, some people argue that a realistic attempt to settle refugees permanently in developing countries of first asylum must include a strong initiative to link the acceptance of the refugees to development assistance offered to these countries.

If this is the goal, host and donor governments, international organizations, and voluntary agencies will need to modify their approaches to refugee problems. Many host countries prefer to offer lengthy temporary asylum rather than permanent settlement. Many donor governments will support humanitarian relief efforts for refugees but view development projects as a completely different situation. In addition, several different bureaucracies may be involved. Many international organizations and voluntary agencies have mandates and missions that limit their work to relief (or to development) and may find it difficult to fit refugees (or development) into their agendas.

Incorporating large refugee populations into development projects will require that international monetary and investment institutions become active in refugee affairs. While some institutions have moved in this direction, significant reorientation on their part is still needed if they are to participate on an adequate scale. Several obstacles must be overcome before this can happen. For example, a key issue is which agency is the appropriate locus for supporting projects of this nature. Another crucial question is whether the strategy will require raising additional money or whether it can be accomplished by reallocating current levels of resources. Resolving issues such as these will require bureaucratic cooperation not often displayed among organizations of this size. Moreover, major institutions such as the World Bank, International Monetary Fund, and the U.N. Development Program would need to adjust their priorities and funding categories to take refugee problems into account; this type of change occurs slowly in such structures. National agencies with international development responsibilities, such as the U.S. Agency for International Development, have begun to look at refugee programs, but not yet on the scale necessary for real progress.

Several cautions must be observed in planning a development refugee project. For example, its success may be impeded by touchy relationships between the host and refugee populations, arising either from political incompatibilities, as in the Palestinian situation, or from a long history of ethnic and cultural conflict, as in some Southeast Asian locations. Care must also be taken that any improvement initiatives bring benefits to indigenous populations as well as to refugees; otherwise, sharp resentments might be generated that would defeat the aim of adjusting the newcomers to their host society. Finally, development may turn out to be an expensive operation, though the human and economic costs of ignoring permanent solutions would probably be higher.

Development in place, then, is emerging as a key option for dealing with the type of massive forced migrations that characterize the modern world. As even cursory review demonstrates, this strategy involves tremendous complexities. It has the potential either of providing realistic solutions for refugees and their hosts, or, if handled badly, of aggravating the refugees' plight and bringing confusion and instability to receiving societies. Interest in this strategy is now growing, both within the refugee community and, possibly to a lesser extent, in development agencies.

If obstacles to mixing refugee and development assistance are to be overcome, more effective working relationships between refugee and development organizations will be required. It is crucial that public discussion of these issues be encouraged at a time when these development organizations are beginning to

consider the role of refugees in their operations, so that the view of all interested parties are presented as decisions are being made. A study of this strategy could prove to be a significant contribution to refugee policy.

Strategies for Source Countries

Any consideration of permanent solutions must include not only provisions for reception and settlement, but also programs to address the root causes of refugee streams. In many nations that produce outflows of refugees, grinding poverty forms a major component, along with official repression, of emigration pressure. Significant relief programs aimed at these countries might both ease their food, commodity, and employment shortages and decrease discontent to the point where regimes feel they may not have to impose such rigid controls on their population. Either of these outcomes could lessen propensities to migrate. However, relief programs that succeed in preventing mass deprivation in repressive societies may also take pressure off the government to address widespread discontent and free its resources to support its military crackdown. Outsiders considering action in this and similar situations must weigh the humanitarian benefits of supplying help against the political consequences of giving at least de facto support to repressive regimes.

Various tactics have been proposed for dealing with nations that produce refugee outflows. Some people suggest making direct representations to these governments with the intent of inducing or forcing them to terminate policies that spark emigration. Activities designed to achieve this goal include international diplomatic pressure, the offering of aid only if certain conditions are met, or, most severe but also hardest to organize, the imposition by several countries of economic sanctions.

Addressing the sources of refugee flows, then, is both a difficult and a crucial challenge. At this point, it seems important to conduct an independent analysis of strategies for approaching nations that generate emigration, including a consideration of the political, moral, and economic costs of either acting or refusing to take part in particular programs for these areas.

Summary of Projects on Permanent Solutions

1. Surveying the history, optimal conditions, and mechanisms of repatriation as a solution to refugee status.
2. Conducting a world-wide study of methods used in different nations for third country resettlement and creating a means of sharing experiences in this field among practitioners in various countries.
3. Assessing the potential and difficulties of opening more opportunities for third country resettlement by tying refugee reception to assistance or development programs.

4. Investigating current methods and criteria for allocating refugees among different nations and their effects on population characteristics in different locations.
5. Creating an international data bank on resettlement activities and results.
6. Studying the feasibility, institutional capabilities, actors, methods, and short and long range steps for devising plans to incorporate refugees into development programs for developing nations of first asylum.
7. Considering the ethics, feasibility, and methods for dealing with the root causes of outflows from refugee producing countries.

RESETTLEMENT AND DOMESTIC ASSISTANCE

Any analysis of refugee resettlement and domestic assistance programs in the United States should begin by defining the goals of the system. On one level, the chief aim of any resettlement effort is to save lives. A second important purpose is to promote the rapid adjustment of resettled refugees, and to help them attain economic self-sufficiency by means that are both cost-effective and equitable. At times, these objectives clash. A policy focusing primarily on rescue—i.e., the rapid movement of large numbers of persons from life-threatening situations—may not consistently mesh with goals of containing costs, dampening negative impacts, or encouraging the rapid self-reliance of refugees. Often, a nation's capacity to respond to emergencies requiring rescue is influenced by its domestic experiences with resettlement efforts. Feelings of disappointment or misperceptions of the way resettlement programs have been run can easily spill over into disillusionment with the concept of helping people in need.

In large measure, the capacity and will of the United States to respond in a caring way to world tragedies is at stake in the creation of an effective resettlement strategy. Shaping programs that allay potential contradictions among the goals of refugee programs is a formidable bu. essential challenge. Efforts to clarify these goals and the expectations regarding their achievement are urgently required.

Roles and Relationships

No one planned the American resettlement system as it now exists. It has grown out of a series of ad hoc responses to crises, with legislation and programming coming in reaction to large-scale refugee arrivals, not in anticipation of them. In the early days of major flows, including the Cubans of the 1960s and the Indochinese of the 1970s, policy-makers assumed that the incoming waves would be of limited size and duration. Acting on this premise, they avoided the creation of new bureaucracies, channeling help for refugees instead through existing governmental programs. Agencies given refugee responsibilities usually had temporary mandates and funds. When refugees inflows turned out to be larger and to last longer than predicted, public outlays moved through a number of different federal conduits, with inadequate coordination among them. Moreover, policy-makers who put the current system together believed that the basically private-sector nature of refugee resettlement would continue. As they saw it, federal help would serve only as a safety net on those rare occasions when private sector support for newcomers broke down.

Three systems make up the bulk of present U.S. government efforts to aid refugees. The office of the *U.S. Coordinator for Refugee Affairs* is responsible for advising the President on refugee policy and for coordinating the activities of all

agencies responsible for refugee admissions and resettlement. The State Department *Bureau of Refugee Resettlement* administers refugee reception and placement grants to the voluntary agencies on a per capita basis for the refugees for whom they take responsibility. Income and health care assistance are provided through the welfare system, with funds channeled through the *Office of Refugee Resettlement* (ORR) at the Department of Health and Human Services (HHS). Also funded through this office are ORR social service grants, which support language, employment, outreach, referral, and other services covered by states' Title XX plans. In addition to these major programs, ORR also takes part in a matching grant arrangement, mostly for fairly small incoming groups.

Differences in the refugee operations of HHS and the State Department reflect some of the conflicting pressures on this program. These two bureaucracies play key roles in the resettlement system, yet they diverge markedly in their functioning and perspectives on the issues. There has been repeated consideration of transferring to HHS a number of activities for refugees, such as placement decisions and reception and placement grants, for which State has traditionally taken chief responsibility. The character and scope of many of these programs will depend in large measure on which department gains leadership in this area.

One major difference between the departments lies in the nature of their constituents. State responds to worldwide concerns on the severity of migration pressures and sees the refugee program primarily as an instrument for meeting foreign policy goals that also have domestic implications. For this reason, its principal interest has been to maintain sufficient entry slots to satisfy international obligations. State also monitors the allocation of refugee placements (though policy for this purpose has become an ORR responsibility) as well as monitoring the work of voluntary agencies under reception and placement grants. Having worked with the voluntary agencies for decades, State considers them an integral part of the resettlement system. HHS, on the other hand, has had little experience dealing with voluntary agencies. Instead, the HHS network has evolved from its activities in many public sector programs. For this reason, the agency is more oriented toward officials of state and local governments and responds more to domestic pressures (e.g. job and housing competition) that may arise from significant inflows of refugees. In short, the natural direction of State is to establish refugee numbers necessary to satisfy foreign relations commitments and objectives, while HHS tends to gravitate toward an admissions policy that reflects the domestic impacts of refugee resettlement.

A second difference lies in the methods the two departments use for administering assistance. HHS funds programs on a time-limited basis and with proposed activities specified in advance. The State Department, on the other hand, offers voluntary agencies reception and placement grants according to a per-capita and temporary but open-ended arrangement. In administering grants and contracts, HHS stresses managerial oversight and procedural uniformity, while State's procedures have provided greater flexibility. (Recently, however, the State Department has tightened its grant language, increased its monitoring procedures, and strengthened its reporting and planning requirements.)

There is no inherent difficulty with the basic differences in approach between State and HHS. To a certain extent these contrasts represent healthy

diversity among federal departments. Yet, because the proper roles and spheres of activity of each agency have not been satisfactorily defined, it has proved difficult to devise a central strategy drawing on the strengths of both operations and to bring about effective coordination and planning.

In theory, the task of bringing coherence to the U.S. refugee system is delegated to the office of the U.S. Coordinator for Refugee Affairs. The complexity of this responsibility becomes evident in a simple listing of the federal agencies that come under its purview: State, HHS, Labor, ACTION, Immigration and Naturalization Service, Community Relations Service, Housing and Urban Development, Agriculture, and, in emergency situations, Defense. Since this is a relatively new position, it may not yet be possible to judge its capacity for carrying out its mandate. Nevertheless, some issues clearly require attention. One question often debated concerns the location of the office. The advantage of its current location in the State Department is that the office has ready access to involved State officials. The drawback of the current location is that the office tends to be identified with one of the agencies whose activities it is supposed to coordinate and, furthermore, its access to developments in other agencies may be limited. A shift in venue to the Executive Office of the President, as has been recommended by several observers, also presents problems: the move would enhance the prestige of the office but, as some feel, may detract from its day-to-day contact with the issue. Some observers believe that so long as the office is given no line and budgetary authority over programmatic agencies, the Coordinator has little chance of forging a coherent policy. Others maintain that with clear Presidential support for this task and an active Coordinator in the job, the office can realize its mandate. In any case, a focus on the Coordinator is crucial because the issues speak directly to the question of operational effectiveness and uniform principles in U.S. refugee policy.

Another critical issue involves the roles and relationships of state and local agencies involved in refugee affairs. Passage of the Refugee Act of 1980, which requires state plans and the appointment of state coordinators, moved these officials into a more prominent role in the program. At present, state coordinators perform three major functions: they administer refugee aid with 100 percent federal reimbursement, they monitor ORR social service grants, and they pick up expenses attendant on refugee inflows not covered by national programs. The interests and capabilities of states in refugee initiatives vary widely, as do their roles and policies. One useful project might focus on differences among state programs and their effect on the adjustment experiences of recently arrived groups.

The oldest and possibly most complicated role in the refugee system belongs to the voluntary agencies. These organizations have played an active part in resettling every major refugee wave in the post-war period, and some have served immigrants for over a century. Their wealth of experience and dedication are seen by almost all observers as invaluable resources for the reception of newcomers, yet neither the voluntary agencies nor outside observers of their performance are satisfied with their current role or their relation to others in the system.

The access of voluntary agencies to public funds is one issue of concern. Traditionally, voluntary agencies have justified federal support of their activities on the basis of the positive contributions they can make in receiving and helping to

resettle newcomers. However, the flow of federal dollars to these agencies raise the question, in the minds of some, of their standing as non-public actors. Before the expansion of federal refugee programs, voluntary agencies had to raise funds from the general public. Now, to a certain degree, the availability of public money has eased the pressure to generate widespread contributions. In the view of some observers, a diminished effort by voluntary agencies to gain public support for refugees has lessened good will toward these agencies and their programs.

The relationship between voluntary agencies and governmental programs also needs analysis. Real tension exists, at least below the surface, between the voluntary agencies and some public officials. Voluntary agencies feel that official bureaucracies often regard them only as delivery services to bring refugees to their destinations, and they feel slighted by this narrow perception of their role and capabilities. Some officials, on the other hand, view voluntary agencies as too variable to permit the forging of a coherent policy toward them. Federal officials hesitate to impose uniformity on the voluntary system, but find its great diversity both hard to deal with and a cover for the inadequate performance of some weaker agencies. It has been suggested, as a positive step, that voluntary agencies set down in writing a detailed statement of their functions and operations which public officials could use as a guide in developing realistic expectations of their performances.

Another, often overlooked, participant in resettlement is the refugee community itself. Evaluations of its current and potential roles vary widely. Some observers believe that newcomers already take an active part in the adjustment process as workers and supervisors within voluntary agencies, as recipients of ORR social service grants, and as organizers of mutual assistance associations and more informal adaptive mechanisms. Many refugees complain, however, that established funding relationships practically exclude them from formal participation in the system. They note that most of the money flows to government programs and voluntary agencies and little to their own community. They argue that, as a result, the federal apparatus often ignores their needs and views. Some observers would like to see more funds, or at least technical assistance, made available to local communities so that organizations with close ties to the grass roots can take advantage of them. These observers also propose more negotiated agreements among federal, state, and local officials, voluntary agencies, and refugee groups on the best way to allocate resources for new arrivals. Others feel that while refugees should be brought into this system whenever possible, major programs should still operate out of institutions that have proved their administrative competence and resettlement capabilities—in other words, voluntary agencies and government institutions. They warn that spreading resettlement money too thinly among small groups will result in serious operational inefficiencies. The proper balance between local initiative and centralized administration still remains to be worked out.

In assessing the potential role of refugee communities, these groups should not be thought of as limited to their place in the formal resettlement system. Communities of newcomers perform a range of social and economic services for their members, including mutual support, small-scale economic development, orientation to a new setting, and cultural maintenance. This helping network

operates effectively because it arises naturally among immigrant families, neighborhoods, religious institutions, and social clubs. Nevertheless, these community networks may be enhanced or hampered by public policies such as tax, regulatory, and zoning decisions. Though it is generally acknowledged that refugee communities figure prominently in the acculturation process, at present little is known about how they work or exactly how they may be affected by public policies. A project on support networks in newcomer communities could advance our understanding and suggest appropriate ways to further the positive functions they perform.

As this review makes clear, the current resettlement system in the United States has many participants whose roles and relationships are inadequately defined. One useful task would be to assess the responsibilities of participants in the refugee network and their relation to its overall goal. Such a project should not stop at defining the current interests and functions of each component of the system. Instead, it should present various proposals for cutting through some of the organizational entanglements and parochial interests of existing arrangements, with the goal of setting up a realistic, efficient, and politically viable set of alternatives.

Alternatives to Current Arrangements

Some suggestions for new resettlement arrangements focus on alternatives to using the welfare system to channel aid to refugees. At present, there seems to be a consensus that refugees should benefit from public funds for only a limited period and then move to attain self-sufficiency with relative speed. In fact, much disappointment has recently been expressed at the failure of many newcomers to meet this goal. Yet realistic evaluations must note that the current U.S. refugee population is much more diverse—in terms of its ethnicity, educational level, employment history, and language background—than previous groups of immigrants. This fact raises legitimate questions as to the appropriate expectations for particular groups by which their and the programs' performance can be assessed. Some refugees surely have the capability of gaining independence almost immediately, while others, because of poor health, culture clash, family size, educational gaps, or other reasons may need more time to restructure their lives. Decisions about cash assistance mechanisms must take into account this diversity.

One proposed plan would transfer basic assistance from HHS to the Unemployment Insurance system in the Department of Labor. This move would have the virtue of treating refugees as unemployed persons, not as people who have failed economically. Moreover, unemployment benefits last only for a specified period of time and so do not encourage long-term dependency. But this idea has some drawbacks that must be taken into account. For one thing, the unemployment benefits system is basically an insurance system. Administratively, it could not easily be adjusted to a situation in which money is paid out without first receiving contributions. Also, the system is oriented toward individuals, not groups. It has little capacity, except through its employment operation, to provide

the social services which refugees may require. Moreover, though transfer to Unemployment Insurance would relieve refugee programs of the need to compete against domestic minority and state constituencies within HHS, it would also mean that they would face new challenges from the labor union interests that predominate in the Department of Labor. Not much may be gained in this tradeoff.

Another proposal would channel assistance to refugees through the social security system rather than through the welfare system. Social security, which works uniformly throughout the country, is not subject to some of the state variations that characterize other programs. This would facilitate equal treatment of refugees in different localities, but, like the unemployment insurance system, the social security system lacks a social service component. Another consideration is the likely fate of a novel initiative—such as aid to newcomers—when dropped into an elaborate bureaucratic structure such as the social security system. The prospect arouses at least suspicion that the new program might be treated like an unwanted orphan in an operation designed to carry out other functions.

Instead of seeking to substitute one department for another, another type of innovation would emphasize greater flexibility among all potential resources in the resettlement field. In this view, we need not choose any one best system for all newcomers, but instead should make various options available that fit in with their particular stage of adjustment. We could operate several programs simultaneously, including: aid through the welfare system basically as it exists now but with adequate staffing to allow for more consultation with sponsors; a case management arrangement administered by the voluntary agencies; federal grants to local participants to run programs of their own; European-style welcome centers, where newcomers might live for a few months and receive intensive job counseling and language training; and a program to purchase insurance or Health Maintenance Organization memberships for refugees to meet their medical needs without encouraging them to go on welfare. The new initiatives in this package could be tried out on a trial basis and, if successful, could be incorporated into a permanent, multifaceted refugee operation. Voluntary agencies which bring newcomers to an area could channel them in the direction of the appropriate service.

Advocates of this multi-faceted strategy stress its adaptability to the diverse needs of new arrivals and its ability to take advantage of the unique strengths of each service-provider in the resettlement system. Critics of this scheme charge that it appears attractive in theory but would prove unworkable in practice. A system with so many options, they argue, would be very difficult to administer, besides requiring a huge budget. Monitoring the system and establishing and maintaining standards would be a prodigious task, they maintain. Moreover, refugees might abuse the system by moving from one service to another unless oversight were very stringent. Still, if these objections could be overcome, a flexible response to refugee inflows seems an optimal arrangement. A project investigating its feasibility and preferred modes of operation might prove worthwhile.

Operational Issues

In addition to the major issues of the U.S. refugee program, several purely operational questions need attention. While these questions do not involve broad conceptual considerations, they are important factors in the day-to-day functioning of the refugee network, often determining the level of service that newcomers receive.

A major operational issue is the capacity of resettlement agencies—public and private—to respond to crises given the episodic nature of refugee flows. For example, U.S. agencies now face a decrease in refugee admissions and funds; in the near future, however, they could again confront an emergency requiring the rapid resettlement of large numbers of refugees. An examination is needed of the varying ways public and private agencies respond to these fluctuations in refugee admissions.

Attention also needs to be paid to the societal impacts of refugee populations and the mechanisms for alleviating negative effects and maximizing positive ones. Critics have argued that resettlement has caused undue burdens in a small number of U.S. communities with high concentrations of refugees. Other observers point out that the net effects of most immigrants are positive and that refugees will, in the long term, make a contribution to their communities. These impact issues need further exploration, with more information collected on actual costs and benefits of resettlement.

Numerous studies have recommended that cash and medical assistance for refugees be separated so that newcomers who require health care would not be forced into a dependency situation. A constructive project might look at why this widely endorsed proposal has made little headway, determine what needs to be done to advance it, and assess its chances for realization.

A sharp controversy has arisen over equity between refugee and other domestic assistance programs. Critics protest that the unique features of efforts for new arrivals, such as waiver-of-eligibility provisions for cash assistance, are unfair to poor U.S. citizens who resemble newcomers in their family structure and economic position but cannot qualify for this type of aid. Proponents characterize this as a false issue since, in their view, people who had to flee their homelands and move to a new setting have special needs and therefore require innovative forms of help. An investigation of charges of inequity, assessment of their validity, and proposals for defusing this controversy may be worth doing.

The need for greater operational coordination—in the delivery of services and provision of cash and medical assistance—is often raised. ORR is currently studying the feasibility of funding case management systems in each state. The aim of case management is to coordinate activities by designating agencies that would develop resettlement plans for their refugees, refer their clients for services, and monitor progress toward the achievement of self-sufficiency. A number of related issues are still to be resolved: for example, the role of voluntary agencies in case management systems; the source of funding (social service funds or cash and medical assistance administrative funds); the relationship between the functions performed under Reception and Placement grants and those performed under case

management contracts; and types of information that should be collected for effective monitoring. A study of these issues would be warranted.

The movement by refugees from their site of original placement to some other location in the country continues to concern many in the refugee field. Local officials especially charge that this migration overloads services in certain places and threatens to cause a political backlash that could diminish public acceptance of new refugees. A project might look at the effects of this mobility on a number of localities; collect data which is now sorely lacking, and evaluate both positive inducements to encourage refugee "clustering" and penalties, such as loss of waiver of eligibility, to discourage refugees from leaving their assigned locales.

Community relations between refugees and local residents clearly deserve attention. Too often such efforts tend to concentrate on dampening tensions only after they flare up. More useful would be strategies to build alliances before trouble occurs and to encourage constructive dialogue and cooperation between newcomers and local citizens. This program direction merits further exploration.

There is much debate about who should have a voice in deciding where refugees reside initially: national officials, voluntary agency personnel, or local officials. Also in need of consideration is the best strategy for distributing newcomers in various places and the degree of dispersion or clustering that leads to the smoothest adjustment experience. Some observers question why refugees with rural origins are consistently resettled in urban locations at a time when labor-intensive agriculture in the United States could use more workers. These placement issues require a close look.

Another issue requiring scrutiny is the capacity of the system to respond to the needs of special classes of refugees. For example, a large segment of the current refugee population has yet to reach adulthood, but the present emphasis on employment and self-sufficiency may have overshadowed the need to provide schooling and recreational opportunities for refugee youths. Older refugees have a most difficult transition to make, yet their unique problems have too often been programmatically ignored. The interests of women in this group, ranging from the impacts of shifting occupational and domestic roles to the possibility of spouse abuse, also must be investigated. Attention should also focus on hard-to-place refugees, exploring the effectiveness of service delivery methods, and ways to improve these efforts. Each of these topics could form the subject for a fruitful project.

Efforts are also needed to expand the data and information base on specific groups, such as the Hmong, Khmer, Ethiopians, and others, who comprise relatively small yet significant proportions of refugees resettled in the United States. This project would advance understanding and awareness of the problems these communities face and the progress they are making.

A final operational project would focus on training. Personnel in a wide range of settings—including federal, state, and local governments, voluntary agencies, ethnic groups, and private organizations—participate in some way in the refugee system. Yet little has been done to deepen knowledge and skills in this field. Filling this gap might significantly improve the functioning of the resettlement network.

None of the projects discussed in this section would drastically alter the character of the present resettlement network. They aim instead to improve various aspects of the existing system. If they succeed, they would make a significant contribution to refugees' adjustment to their new lives.

Summary of Projects on the U.S. Resettlement Program

1. A consideration of realistic goals and expectations, as a framework in which to create resettlement programs.
1. An analysis of the various participants and their roles in domestic resettlement and the development of workable proposals to resolve organizational entanglements and enhance operational coherence.
2. A survey of differences in state programs for refugees and their effects on the adjustment experience of newcomers.
3. A study of informal supoprt systems in the refugee community and ways that public and private agency efforts can further their functioning.
4. An investigation of new ways of organizing aid to refugees, including the feasibility and operational components of introducing flexibility into the resettlement system.
5. An examination of the capacity of resettlement agencies to respond to fluctuations in refugee admission.
6. A study of the impact of refugees on receiving communities.
7. A focus on community relations, including coalition building as well as responses to tensions.
9. A focus on cash and medical assistance, why they have not been separated, what can be done to further this action, and the prospects for progress on this issue.
10. A look at the equity issue, its basis in fact, and ways to defuse it.
11. An examination of issues related to case management systems.
12. Data collection on secondary migration, assessing its impact, and evaluating programmatic approaches.
13. A consideration of participants, methods, and principles of placement policy.
14. A series of projects on special classes of refugees, including youth, elderly, women, and those hard-to-place.
15. Developing training programs for personnel involved in refugee resettlement programs.

VI

ISSUES OF DEFINITION AND SCOPE

In an increasingly legalistic and bureaucratized world, questions of definition take on ever greater significance. Whether or not a person is classified as a refugee can determine whether that individual is given access to protection, relief, and assistance. These definitions are also important to institutions at all levels—from the international to the local—because these definitions determine whether or not their mandates cover an individual or group, whether or not their budgets will be developed to provide assistance, and whether or not they will be reimbursed for their efforts.

Clearly, administrative and organizational realities require an increased reliance upon definitions, classifications, and standards. But it is essential to recognize that the conditions and events that produce forced migrations do not necessarily conform with these assistance and categories. The public generally and many people seeking assistance are confused by efforts to distinguish among such categories as immigrants, refugees, asylum seekers, entrants, illegal aliens, and others.

Confusion arises from two sources. The first involves the intent of the internationally recognized United Nations definition of refugee, which differentiates between political and economic motivations for flight. The United Nations Convention confers refugee status only on people driven from their homeland by political, racial, or religious persecution. This definition excludes migrants seeking to escape violence or deprivation. The problem with this neat distinction between political and economic motives for flight is that it breaks down in analyses of actual flows of refugees. Repressive governments often use economic policies as a means of persecution, leaving individuals with combined political and economic motives for leaving. Elite groups at times employ police or military forces to expropriate land or goods, thereby implicating the state in imposing poverty and hardship on some native residents. Rulers often regard protests against relative deprivation as threats to the legitimacy of their regimes. Because it is so often difficult to define the precise source of suffering and subsequent flight, it is debatable whether the people involved are in or out of the refugee category.

A second set of questions concerns the adequacy of the United Nations definition in view of other kinds of suffering that induce flight but do not qualify its victims for refugee status. For example, many people today are in life-threatening situations because of civil war or disruption of public order that does not necessarily stem from deliberate governmental repression. These people are excluded from refugee status under the United Nations Convention. Additionally, millions of people have been forced to abandon their homes but remain within the political boundaries of their nation. These internal migrants may be as desperate and displaced as those who have crossed international borders, but they do not come under the aegis of the present international protocols. Since refugee protection and relief constitutes the world's primary response to forced migration, there is rising concern about a definition which excludes so many of the forms of suffering that cause displacement of people.

Some observers in the refugee field maintain that, in practice, the question of definition is irrelevant. They argue that people will be designated as refugees primarily through political pressure on international organizations generated by overburdened host countries, other interested countries, ethnic groups lobbying for aid to their kin, and international watchdog groups that monitor world political crises. It is a combination of these real elements, this view holds, rather than the application of abstract principles, which actually determines the size and identity of beneficiaries of refugee programs.

It is true that refugee issues are no exception to the general rule that actions involving governments require political maneuvering. Still, much remains to be said for a focus on definitional problems. Aid to needy populations is often delayed by uncertainty about their qualifications under the United Nations definition; international agencies frequently wait for certification of a group's standing before mobilizing their resources to help them. In the United States, a major debate is underway over which people merit refugee recognition, and the organization and size of U.S. refugee programs will be significantly affected by the outcome of current deliberations.

In the face of growing uncertainty and rising public concern, individuals and organizations involved in refugee work have devised two kinds of strategies, which diverge markedly on the fundamental issues of refugee definition and the means of providing assistance.

Some advocates and scholars in the field argue that the criteria for conferring refugee status should be sharpened in order to designate as explicitly as possible the characteristics of genuine refugee flows. They would continue to identify political repression as the primary factor in determining eligibility for refugee status and would continue to exclude migrants motivated by internal violence or economic hardship from this category. They argue that, while the international community may want to organize supportive efforts on behalf of these victims, calling them refugees dilutes the meaning of the term and detracts from a coherent strategy for handling political crises. From this viewpoint, if people lose their land due to state expropriation, their problems would be viewed primarily as economic and they would not qualify for a refugee designation. Only if they were to publicly protest the seizure of their property and for this reason be persecuted as political dissidents and forced into exile, would they then come under the purview of the United Nations Convention and be able to claim a right to protection. Proponents argue for continuing this sort of differentiation, both because refugee status cannot be extended to everyone in all life-threatening situations without placing unmanageable burdens on international organizations and because situations of political repression are unique and require special handling.

A second body of opinion takes the opposite stance. It holds that the purpose of international action on behalf of refugees is to help the victim of human activities that menace their lives, whether the threat arises from official repression, civil war, or roving political factions. (A few observers would even include victims of natural disasters in the refugee category.) Advocates of a broader United Nations definition note that the current definition was developed in response to the plight of persons displaced by World War II, a situation in which political, racial,

and religious persecution played a major role. These observers argue that we should not let the particularities of this historical circumstance deter us from addressing the severe conditions of people in mortal danger in another time, on other continents, and with different problems. Our focus, they believe, ought to be the danger individuals and groups are exposed to, not the antecedents of their situation. As to the argument that this perspective would require international assistance on an unmanageable scale, these advocates counter that this concern, like the definitional debate itself, arises out of outmoded conceptions.

If the only solutions to refugee problems are seen as either third country resettlement or repatriation, as has been the case since World War II, then solutions are indeed limited and the international community must be selective in designating who will benefit from them. But if conceptions of aid are expanded to include development projects for people in places of first asylum, it may be possible to accommodate many more people within refugee programs. What may be required, in short, is not only an enlarged conception of international responsibility beyond the refugee categories of the 1950s, but also a greater receptivity to new ways of aiding the displaced peoples of the world.

Fruitful public discussion of these alternatives requires more in-depth knowledge about several dimensions of the refugee issue. Arguments on the scope of achievable refugee activity must be based on reliable and comparable information on actual situations throughout the world. Several projects in this area merit attention.

One important project would be an outgrowth of the refugee typology study suggested in Section I. It would involve a survey of refugee situations in various parts of the world, identifying the configurations of factors, including political oppression, economic hardship, natural calamity, overpopulation, and inadequate resources, that induced the exodus. As noted, these results can be used to alert agencies to incipient crises. But a more in-depth analysis could yield data that could improve decision-making. For example, these factors can be ranged on a continuum from most to least life-threatening. Additional considerations could be taken into account in each case: How much time did people have to escape and did they have the opportunity to plan their flight? How serious would their condition have been in their home country had they stayed? Would they have been murdered, or put in jail, or denied access to certain job categories? Did danger to them result from government oppression, or civil war between factions, or uncontrolled violence? Asking such questions based on real situations, and applying them to various migrations underway, would give substance to debates over what does and does not constitute a life-threatening situation. The results would aid decisions about whether and how to allocate international resources for various types of migrants.

Issues of refugee categories and priorities can also be addressed by undertaking a more theoretical analysis. It may be useful to have philosophers and logicians develop abstract categories of possible precipitating factors in mass flows, and devise ethical approaches to deciding priorities of attention to various situations. The model could then be applied to actual crises around the world. Another project might set out the order of problems to be met and the degree of international activity required if we adopt various conceptions of refugee status.

This type of project would prove useful in spelling out the practical ramifications of current discussions on the scope of the refugee issue.

A different sort of project would focus not on the meaning of the term refugee, but on the process by which this designation is conferred. This would entail selecting one or more cases in which migration flows were determined to merit refugee status and analyzing the various forces that played a role in that decision: international pressures, intergovernmental communications, ethnic group advocacy, cultural affinity, availability of resources, application of principle, private agency evaluations, and other factors. This approach would both clarify the relative importance of the refugee definition in determining refugee status and illustrate the ways in which nations respond to potential refugee flows. It would demonstrate, in concrete situations, the mix of diplomatic, humanitarian, ethnic, and political factors that go into adjudicating claims for asylum. Once this process is better understood, it may be more susceptible to evaluation and improvement.

A more focused project would entail monitoring the level of adherence of various nations to the sections of the United Nations definition that call for conferring asylum on anyone fleeing persecution regardless of the political ideology of the home government. In adopting the Refugee Act of 1980, for example, the United States broadened the scope of its potential acceptance of refugees to include people of any origin who met the United Nations definition. But the fact that this legal change was made has not guaranteed its application. Private sector groups need to monitor the performance of the United States as well as other nations in adhering to the United Nations protocol they have endorsed.

Another project with international implications concerns the participation of the United Nations High Commissioner for Refugees in national decisions about whether to accept migrants as refugees. Experiences of different countries vary on this point, with some nations giving the UNHCR a substantial role in determining status, while others use the office in an advisory capacity, and still others take no advantage of this resource at all. In the United States, where the UNHCR does not have a major voice in deciding asylum applications, recent proposals have been advanced to give this office an official role in determining asylum for migrants from the Caribbean who have arrived on the country's shores. A survey of UNHCR's relations to official government decisions in various parts of the world and an evaluation of the capacity of the office to facilitate nations' asylum determinations would be illuminating.

A project with both national and international implications would evaluate the potential impacts of any change in U.S. refugee policy on asylum and resettlement decisions in other parts of the world. In the present legislative debate in the United States, proposals have been made to narrow both the range of people able to qualify for asylum and the scope for response. Since the United States has assumed international leadership in this field, its actions on refugee designations and resettlement are likely to affect the receptivity of other nations. It can be demonstrated, for example, that initiatives undertaken by the U.S. government on Caribbean entrants have had a strong impact on the policies of other countries of first asylum. An assessment of current commitments of various governments to taking in forced migrants and the likely effect on their attitudes of a change in U.S. policy on refugees might be a useful contribution to current discussions.

A final discussion on definitional issues concerns the point at which refugee status ends and normal life resumes. To take the example of the United States once again, several markers identify the completion of various aspects of refugee standing. People move from refugee to legal permanent status after one year, remain eligible for federally reimbursed cash and medical aid for three years, and can acquire citizenship after five years residence. Yet, in some cases, refugees may not adapt fully to their new setting for a generation. A number of institutions play key roles in this process at appropriate times. Private sector groups might follow the evolution of this transition to identify when efforts should be made to ease the adjustment of refugees to their new home.

Summary of Projects on Definitional Issues

1. An airing and explanation of the public debate on how to define refugee status.
2. Indepth analysis of refugee situations and comparative risks to life in various flows, based on an evaluation of actual situations around the world.
3. Creating ideal categories of forced migration and a set of ethics to decide priorities among them, and applying this model to present world conditions.
4. Assessing the size of refugee populations and the types of actions needed to deal with them if various definitions of refugees are adopted.
5. Examining the various pressures, participants, and principles that affect actual decisions on the recognition of refugees.
6. Monitoring how various nations observe the United Nations standard for dealing with refugee and asylum applicants regardless of the political ideology of the home country.
7. Assessing the current and potential role of the UNHCR in helping nations make refugee decisions.
8. Gauging the impact of a change in the U.S. refugee policy on the receptivity of other nations.
9. Focusing on the points at which status ends and considering ways to ease the adjustment of refugees to their new home.